

REMARKS

Claims 1, 2 and 4-23 are now present in this application.

The specification and claims 1 and 4 have been amended, claims 3 and 15-17 have been cancelled without prejudice or disclaimer of the subject matter contained therein, and claims 18-23 have been presented. Reconsideration of the application, as amended, is respectfully requested.

Rejection under 35 USC 102

Claims 1 and 2 stand rejected under 35 USC 102(e) as being anticipated by Ranade et al., U.S. Publication 2004/0180510. This rejection is respectfully traversed.

Without conceding the appropriateness of the Examiner's rejection, but simply to expedite prosecution of this application, it is noted that the limitations of objected-to but allowable claim 3 have been incorporated into independent claim 1. Accordingly, reconsideration and withdrawal of the 35 USC 102(e) rejection are respectfully requested.

Newly Presented Claims

It is noted that independent claim 18 sets forth a step of baking said dielectric layer which differs from the thermal process disclosed in Ranade et al. because, unlike the present application, the process of Ranade et al. is for forming the oxide layer (see paragraph [0037]). It is respectfully submitted that one of ordinary skill in the art would recognize that the temperature of the thermal process for forming the oxide layer is higher than that of the baking step. If the thermal process with such a higher temperature were applied to the present invention instead of

the baking step, the dielectric layer would be cracked and voids would occur. The present invention prevents this problem by performing the baking step after the dielectric layer in the trench upon the polysilicon is formed. It is therefore respectfully submitted that newly presented independent claim 18, as well as its dependent claims, are neither taught nor suggested by the prior art utilized by the Examiner.

Non-Elected Claims

Without conceding the appropriateness of the Examiner's Restriction Requirement, but simply to expedite prosecution, it is noted that non-elected claims 15-17 have been cancelled. Applicants reserve the right to file a Divisional application at a later date, if desired.

Allowable Subject Matter

Applicants gratefully acknowledge that the Examiner considers claims 3-8 to contain allowable subject matter, and claims 9-14 to be allowed. In view of the foregoing amendments and remarks, it is respectfully submitted that all claims are in condition for allowance.

Conclusion

Favorable reconsideration and an early Notice of Allowance are earnestly solicited.

In the event that any outstanding matters remain in this application, the Examiner is invited to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

Application No. 10/784,203
Amendment dated December 21, 2005
Reply to Office Action of September 21, 2005

Docket No.: 4392-0154P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 

Joe McKinney Muncy

Registration No.: 32,334

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant